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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA)	Case No. CR S-04-289-WBS
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER TO CONTINUE JUDGMENT
vs.)	AND SENTENCING, HEARING, AND
)	MODIFIED BRIEFING SCHEDULE
MICHAEL L. STEVENS,)	
)	Date: May 29, 2007
Defendant.)	Time: 8:30 a.m.
)	Court: Hon. William B. Shubb.
)	
)	
)	

Defendant MICHAEL L. STEVENS, by and through his attorney, Johnny L. Griffin, III, and the United States of America, by and through Assistant U.S. Attorney Matthew D. Segal, hereby agree and stipulate to continue Judgment and Sentencing and the hearing on Defendant's motion regarding the 100-to-1 crack cocaine disparity, and to modify the current briefing schedule, in the above captioned case from May 29, 2007 to June 18, 2007 at 8:30 a.m.¹. Defense counsel is not able to abide by the previous briefing schedule because he is in trial on a criminal in-custody homicide jury trial in the case of *People v. Wisdom Ofoe*, Sacramento County Superior Case Number 05F09015. The case is a Special Circumstance

¹ The parties have been advised by this Court's Clerk June 18, 2007 at 8:30 a.m. is an available date and time for sentencing and a hearing on this matter.

1 homicide case in which the defendant has entered a plea of not guilty by reason of insanity.²
2 The trial is expected to last approximately five weeks. This continuance is necessary to allow
3 counsel for Defendant additional time to draft and file the Memorandum of Points and
4 Authorities in Support of Defendant's Brief.

5
6 The parties have agreed to adhere to the following modified briefing schedule:³

7 <u>Pleading</u>	<u>Filing Deadline</u>
8 Defendant's Brief	05/29/07
9 Government's Opposition	06/04/07
10 Defendant's Reply to Government's	06/11/07
11 Opposition	
12 Dated: April 26, 2007	Respectfully submitted,
	<u>/s/ Johnny L. Griffin, III</u>
	JOHNNY L. GRIFFIN, III
	Attorney for MICHAEL STEVENS

16	
17 Dated: April 26, 2007	Respectfully submitted,
	<u>/s/ Matthew D. Segal</u>
	MATTHEW D. SEGAL ⁴
	Assistant United States Attorney

22 _____
23 ² The Sacramento County District Attorney's Office is not seeking the death Penalty.

24 ³ The United States Government, by stipulating to the briefing schedule is not waiving the argument that the
25 defendant's brief is itself a breach of the plea agreement.

⁴ Assistant United States Attorney Matthew D. Segal telephonically authorized attorney Johnny L. Griffin, III to
sign this Stipulation and Order on his behalf.

ORDER

Based on these findings and pursuant to the stipulation of the parties, the Court hereby adopts the stipulation of the parties in its entirety as its order.

IT IS SO ORDERED.

Dated: April 27, 2007



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE